

**THE HONOURABLE SRI JUSTICE
GODA RAGHURAM
AND
THE HONOURABLE SRI JUSTICE
S.ANANDA REDDY**

WRIT PETITION No. 8901 of 2007

Dated: 03-10-2007

Between:

B.Veeraiah

...Petitioner

and

The Registrar (General),
High Court of Judicature of A.P.,
Hyderabad and another

...Respondents

W.P.No.8901 of 2007

Order: (Per GR, J)

The writ petition is directed against the order dated 22-6-2006 of the 2nd respondent visiting the petitioner with the punishment of stoppage of one increment with cumulative effect.

Disciplinary proceedings were initiated against the petitioner on five grounds of official misconduct, (a) that the petitioner as Superintendent in the Court of Additional Munsif Magistrate, Sattenapalli during 22-08-2002 to 5-09-2005 failed to maintain the Register of Properties; Register for sureties and Register of charge sheets and for failure to check solvency certificates properly; (b) exhibiting discourtesy and demanding money to put up charges; (c) failure to obey the instructions of the Presiding Officer and casting aspersions against the Presiding Officer; (d) failure to comply the omissions pointed out during inspection; and (e) failure to handover charge of the post of Superintendent to his successor and for negligence, dereliction of duties and indiscipline amounting to misconduct.

During the process of departmental enquiry, it is revealed that despite the issuance of successive memos for maintenance and updating of Registers, the petitioner failed to rectify the deficiency. When the Presiding Officer called for an explanation, the petitioner also made allegations without any basis against the Presiding Officer. The petitioner was transferred and the transfer

was later rescinded on the petitioner's representation. Even so he failed to exhibit due diligence in the performance of his functions and started avoiding work totally. On the basis of the material on record in the departmental enquiry, the petitioner was found guilty of the charges and visited with the penalty of stoppage of one increment with cumulative effect.

The learned counsel for the petitioner would merely urge that as there was heavy workload in the court in question and as the petitioner was not acclimatized with the work in criminal courts, he failed to perform his functions diligently in the matter of maintenance of the mandated registers. The learned counsel fails to spell out what special qualifications or experience are required for maintenance of Registers in criminal courts as distinct from the registers required to be maintained in civil courts. In any event, it is not the petitioner's plea that he was not qualified for functioning as a Superintendent in the court in which he was assigned with the work. The non-maintenance of the requisite Registers, such as, property and surety registers is a serious administrative lapse and affects the qualitative dispensation of justice. The official functions of the Ministerial staff in the judiciary have vital importance, particularly in the area of maintenance of registers.

The petitioner, after a detailed departmental enquiry against allegations of grave dereliction of duties over a long period in the matter of maintenance of the requisite registers, has been found guilty. Though the charges are grave in nature, the disciplinary authority on a lenient view of the matter had seen fit to impose the marginal and moderate penalty of stoppage of one increment with cumulative effect. There appears no infirmity in the process of

departmental enquiry nor any perversity in the quantum of punishment imposed, warranting judicial review.

There are no merits. The writ petition is accordingly dismissed. There shall be no order as to costs.

GODA RAGHURAM, J

3rd October, 2007

S. ANANDA REDDY, J

GRR